CF 1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

Writ Petition (C) No. 1179 of 2007

PETITIONER:

Goraknath Sahu,
S/o Late Maan Singh,
Aged about 63 years,
Occupation: Agriculturist,
R/o Village Post: Darra,
Tehsil: Gurur,
District: Durg, Chhattisgarh.

- Versus -

RESPONDENTS:

1. State of Chhattisgarh,
Through the Secretary,
Department of Cooperative,
Mantralaya, D.K.S. Bhawan,
Raipur, Chhattisgarh.

2. Registrar,
Cooperative Societies,
State of Chhattisgarh,
Telibanda Chowk, Raipur,
Chhattisgarh.

3. Deputy Registrar,
Cooperative Societies,
State of Chhattisgarh,
Durg, Chhattisgarh.

4. District Cooperative Central Bank, Durg, Chhattisgarh.
Through its Chief Executive Officer.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT/WRITS, DIRECTIONS ETC., IN THE NATURE OF MANDAMUS, CERTIORARI AND/OR ANY OTHER SUITABLE WRIT OF LIKE NATURE

(65)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (C.) NO.1179 OF 2007

Petitioner : Goraknath Sahu

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Rajeev Shrivastava, counsel for the petitioner.
Mr. A.S.Kachhawaha, Government Advocate for the State/respondents No.1 to 3.
Mr. B.D.Guru, counsel for the caveator.

ORDER

(Passed on 28th Day of February, 2007)

Learned counsel appearing for the petitioner submits that the petitioner is a member of the Primary Cooperative Society situated at Village Dhaneli. A new society, under the direction of the State Government, in exercise of its powers under Section 16-C of the Chhattisgarh Cooperative Societies Act, 1960 (henceforth 'the Act, 1960') has been formed. It is further contended by learned counsel for the petitioner that the society is proposing to hold elections on the basis of the old membership as well as under the old area and old scheme.

2. Be that as it may, the Registrar, Cooperative Societies is a competent officer to look into the irregularities committed by a society registered under the Act, 1960.

3. At this stage, learned counsel appearing for the petitioner, on instruction, seeks permission of this Court to withdraw this petition with a liberty to move the Registrar, Cooperative Societies within a period of four days from today with a direction to the Registrar, Cooperative Societies to consider and pass appropriate orders within a period of one week thereafter.

4. In view of the above, the writ petition is dismissed as withdrawn with the liberty aforestated. The Registrar, Cooperative Societies is directed to consider and pass appropriate orders within a period of one week, if the petitioner moves before him for redressal of his grievance within a period of four days from today. In the meantime, the proposed election may not be initiated for a period of eleven days from today. No order as to costs.

Certified copy be supplied by tomorrow.

Sd/-
Satish K. Agnihotri
Judge

Gopal